

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ENGINE DYNAMICS INC., et al.,

v.

M/Y LONG ISLAND LADY

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CIVIL ACTION
NO. 04-CV-1402(KAJ)

ORDER

Upon consideration of the Motion To Vacate Arrest, Post Security and to Set Briefing Schedule, filed by Anthony Morelli, as owner of M/Y Long Island Lady (the "Vessel"), it is hereby ORDERED that the Motion is GRANTED and it further ORDERED that:

Mr. Morelli on behalf of M/Y Long Island Lady shall post bond or other security in the amount of \$1,000 for claims presented by Engine Dynamics, Inc. ("EDI");

Mr. Morelli on behalf of M/Y Long Island Lady shall post bond or other security in the amount of \$1,000 for claims presented by Summit North Marine, Inc. ("Summit");

The day after the security is posted by Mr. Morelli for claims brought by EDI and Summit, the Vessel shall be released from arrest;

Plaintiffs, EDI and Summit shall allow Mr. Morelli and/or his agent(s) access to the Vessel to conduct an inspection within (3) business days of this Order. EDI and Summit and their agent(s) can be present (but may not interfere with) for the inspection. Within (10) business days, the parties may submit evidence for and against the amount of countersecurity to be posted by EDI and Summit. Within (5) business days of my ruling on the motion for countersecurity, if countersecurity is ordered to be posted, EDI and Summit shall post a bond or other security. In

the event that EDI and Summit do not post such countersecurity, the security posted by Mr. Morelli shall be returned to Mr. Morelli.

The parties shall submit findings of fact and conclusions of law by _____. Reply submissions (if any) are due by _____.

Dated _____, 2005

KENT A. JORDAN
UNITED STATES DISTRICT JUDGE